

Application No. 10/620,048
In Response to Office Action Mailed on May 31, 2007
Response Dated: August 31, 2007

REMARKS

CLAIMS

REJECTION OF INDEPENDENT CLAIMS 1, 7, 11, AND 20 UNDER 35 U.S.C. § 102(b)

Claims 1, 7, 11, and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ludwig (US Patent #5758079).

CLAIM 7

Regarding independent Claim 7, the Office Action states:

Regarding claim 7, Ludwig teaches is a method of configuring side conference calls comprising: selecting one or more participant identifiers from at least one existing conference call; and positioning said selected participant identifiers into at least one side conference call identifier. (Ludwig discloses the preferred embodiment provides two ways for initiating a conference call. The first way is to add one or more parties to an existing two-party call. For this purpose, an ADD button is provided by both the collaboration Initiator and the Rolodex, as illustrated in Figs 2A and 22; Column 24 line 39-43)

See Office Action at page 4.

Claim 7 recites a “method of configuring side conference calls comprising selecting one or more participant identifiers from at least one existing conference call, and positioning said selected participant identifiers into at least one side conference call identifier.” The Examiner has stated that Ludwig, at Figures 2A and 22, and at Column 24, lines 39-43, teaches what is

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recited in Claim 7. The Applicant respectfully disagrees that Ludwig teaches what is recited in Claim 7. For example, nowhere in the cited Figures and passage is there any disclosure in Ludwig of "configuring a side conference call comprising selecting one or more participant identifiers from at least one existing conference call" as recited in Claim 7. Furthermore, nowhere is there any disclosure in Ludwig of "selecting one or more participant identifiers from at least one existing conference call, and positioning said selected participant identifiers into at least one side conference call identifier," as recited in Claim 7. As stated in Ludwig, at Cols. 4-5, Brief Description of the Drawings, "FIGS. 2A and 2B are photographs which attempt to illustrate, to the extent possible in a still image, the high-quality of the full-motion video and related user interface displays that appear on typical CMW screens which may be generated during operation of a preferred embodiment of the invention." After reviewing Figure 2A, the Applicant does not see how this discloses what is recited in Claim 7. Furthermore, Ludwig, in the Brief Description of the Drawings, states that "FIG. 22 illustrates an enlarged example of "speed-dial" face icons of certain collaboration participants in a Collaboration Initiator window on a typical CMW screen which may be generated during operation of a preferred embodiment of the present invention." After reviewing Figure 22, the Applicant does not see how Figure 22 discloses what is recited in Claim 7. Turning to the cited passage, Ludwig, at Column 24, lines 39-43 states "the preferred embodiment provides two ways for initiating a conference call. The first way is to add one or more parties to an existing two-party call. For this purpose, an ADD button is provided by both the Collaboration Initiator and the Rolodex, as illustrated in FIGS. 2A and 22. To add a new party, a user selects the party to be added (by clicking on the user's rolodex name or face icon as described above) and clicks on the ADD button to invite that new party."

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This passage does not disclose what is recited in Claim 7. Instead, Ludwig describes a procedure for “initiating a conference call” by adding one or more parties to an existing two-party call. Thus, there is no mention of “configuring a side conference call” by “selecting one or more participant identifiers from at least one existing conference call,” as recited in Claim 7. Instead, Ludwig discloses how to initiate and add parties to a *single* conference call (emphasis denoted in italics). This is clearly does not teach what is recited in Claim 7. Therefore, for at least each of the foregoing reasons, the Applicant respectfully submits that the Office Action has not shown a teaching of what is recited in independent Claim 7. As a consequence, the Applicant believes that Claim 7 contains patentable subject matter.

If the Examiner wishes to maintain his rejection to Claim 7, the Applicant respectfully requests that he clearly show how each and every element of Claim 7 is taught by Ludwig. Otherwise, the Applicant respectfully submits that independent Claim 7 contains patentable subject matter; and as a consequence, Claim 7 should be allowed.

As a result of providing the foregoing arguments with respect to independent Claim 7, the Applicant has not commented on the remarks made by the Examiner regarding dependent Claims 8-10 but reserves the right to do so in the future should the need arise. Since Claims 8-10 depend on allowable Claim 7, the Applicant respectfully submits that Claims 8-10 are in condition for allowance. The Applicant respectfully requests allowance of Claims 7-10.

CLAIM 11

Regarding independent Claim 11, the Office Action states:

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Regarding claim 11, Ludwig teaches a method of configuring one or more conference calls comprising: creating conference identifiers; and grouping participant identifiers into said conference identifiers. (Ludwig discloses in the preferred embodiment, session participants can be selected from a graphical rolodex 163 that contains a scrollable list of user names or from a list of quick-dial buttons 162; Column 18 line 63-66. Ludwig also discloses once the user elects to initiate a collaborative session, he she selects one or more desired participants by for example, clicking on that name to select the desired participant from the system rolodex or a personal rolodex, or by clicking on that name to select the desired participant from the system rolodex or a personal rolodex; Column 19 line 6-9)

See Office Action at page 5.

Claim 11 recites a “method of configuring one or more conference calls comprising creating conference identifiers, and grouping participant identifiers into said conference identifiers.” The Examiner has referenced Col. 18, lines 63-66 and Col. 19, lines 6-9 of Ludwig; however, none of these passages discloses anything about the “conference identifiers” recited in Claim 11. Instead, Ludwig discloses a “collaboration initiator” of which “in the preferred embodiment, session participants can be selected from a graphical rolodex 163 that contains a scrollable list of user names or from a list of quick-dial buttons.” As per the Examiner’s remarks, Ludwig discloses “session participants” which is clearly different from the “conference identifiers” recited in Claim 11. While Ludwig may disclose a software “rolodex” to initiate a

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“collaborative session,” nowhere does Ludwig recite “creating conference identifiers and grouping participant identifiers into said conference identifiers.” Furthermore, the Applicant would like to emphasize that Ludwig discloses creating *a single collaborative session* using “one or more desired participants.” As a consequence, Ludwig does not have any reason to disclose the multiple “conference identifiers” recited in Claim 11. Further, the Applicant respectfully submits that the term, conference identifier, as recited in Claim 11 is described in the specification of the present Application in, for example, Figures 3 and 4, and paragraph 34. The Applicant invites the Examiner to review these portions of the specification of the present Application. Therefore, for at least each of the foregoing reasons, the Applicant respectfully submits that the Office Action has not shown a teaching of what is recited in independent Claim 11. As a consequence, the Applicant believes that Claim 11 contains patentable subject matter.

If the Examiner wishes to maintain his rejection to Claim 11, the Applicant respectfully requests that he clearly show how each and every element of Claim 11 is taught by Ludwig. Otherwise, the Applicant respectfully submits that Claim 11 contains patentable subject matter; and as a consequence, Claim 11 should be allowed.

As a result of providing the foregoing arguments with respect to independent Claim 11, the Applicant has not commented on the remarks made by the Examiner regarding dependent Claims 12-19 but reserves the right to do so in the future should the need arise. Since Claims 12-19 depend on allowable Claim 11, the Applicant respectfully submits that Claims 11-19 are in condition for allowance. The Applicant respectfully requests allowance of Claims 11-19.

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CLAIM 20

Regarding independent Claim 20, the Office Action states:

Regarding claim 20, Ludwig teaches a method of graphically viewing and participating in one or more conference calls comprising selecting participants for one or more conference calls by way of pointing, clicking, and dragging participant identifiers into one or more conference identifiers. (Ludwig discloses the preferred embodiment provides two ways for initiating a conference call. The first way is to add one or more parties to an existing two-party call. For this purpose, an Add button is provided by both the collaboration Initiator and the Rolodex, as illustrated in Figs. 2A and 22. To add a new party a user selects the party to be added (by clicking on the user's rolodex name or face icon as described above); Column 24 line 39-46)

See Office Action at pages 7-8.

Claim 20 recites a “method of graphically viewing and participating in one or more conference calls comprising selecting participants for one or more conference calls by way of pointing, clicking, and dragging participant identifiers into one or more conference identifiers.” As was previously stated in Applicant’s argument for Claim 7, Ludwig discloses how to initiate and add parties to a *single* conference call (emphasis denoted in italics). This is clearly not what is recited in Claim 20. Claim 20 recites “viewing and participating in *one or more conference calls* by way of pointing, clicking, and dragging participant identifiers into *one or more conference identifiers*” (emphasis denoted in italics). Furthermore, nowhere does Ludwig, in

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Col. 24, lines 39-46, disclose “pointing, clicking, and *dragging participant identifiers into one or more conference identifiers.*” The Applicant requests the Examiner to point out where within Ludwig there is a disclosure of “dragging participant identifiers into one or more conference identifiers,” as recited in Claim 20. As a consequence, the Office Action has not shown a teaching of what is recited in Claim 20. The Applicant respectfully disagrees with the Office Action’s interpretation of Ludwig. The Applicant believes that the Office Action has improperly characterized what is disclosed in Ludwig. For each of the foregoing reasons, the Applicant believes that Claim 20 contains patentable subject matter and that Claim 20 should be allowed.

If the Examiner wishes to maintain his rejection to Claim 20, the Applicant respectfully requests that he clearly show how each and every element of Claim 20 is taught by Ludwig. Otherwise, the Applicant respectfully submits that Claim 20 contains patentable subject matter, and as a consequence, Claim 20 should be allowed.

As a result of providing the foregoing arguments with respect to independent Claim 20, the Applicant has not commented on the remarks made by the Examiner regarding dependent Claims 21-26 but reserves the right to do so in the future should the need arise. Since Claims 21-26 depend on allowable Claim 20, the Applicant respectfully submits that Claims 21-26 are in condition for allowance. The Applicant respectfully requests allowance of Claims 20-26.

CLAIM 1

Regarding independent Claim 1, the Office Action states:

Regarding claim 1, Ludwig teaches a system for configuring a conference call comprising a computing device that is communicatively coupled with a

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server, (Fig 21 element 63) said computing device capable of displaying,(fig 18b) to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said server.(Ludwig teaches this by disclosing for example, during a call, a call request from another party could arrive. This arrival could be signaled to the user by providing an alert indication in a dialog box on the user's CMW screen; Column 23 line 11-14)

See Office Action at page 2.

Claim 1 recites a “system for configuring a conference call comprising a computing device that is communicatively coupled with a server, said computing device capable of displaying, to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said server.”

The Office Action has referenced Column 23, lines 11-14, in an attempt to show a teaching of what is recited in Claim 1. Col. 23, lines 11-14, describe a change in the state of a call by way of “a call request from another party (an AVNM client, for example).” Claim 1, however, recites “displaying, to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said *server*” (emphasis denoted in italics). Therefore, Ludwig is different from what is recited in Claim 1. For at least the foregoing reason, the Applicant respectfully submit that Claim 1 contains patentable subject matter. The Applicant requests allowance of Claim 1.

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As a result of providing the foregoing arguments with respect to independent Claim 1, the Applicant has not commented on the remarks made by the Examiner regarding dependent Claims 2-6 but reserves the right to do so in the future should the need arise. Since Claims 2-6 depend on allowable Claim 1, the Applicant respectfully submits that Claims 1-6 are in condition for allowance. The Applicant respectfully requests allowance of Claims 1-6.

REJECTION OF CLAIMS 23-24 UNDER 35 U.S.C. § 103(a)

Claims 23 & 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig (5758079) in view of Flanagan (6339754). Regarding Claim 23, the Office Action states:

Regarding claim 23, Ludwig taught the method of claim 21, as described above. Ludwig does not teach comprising receiving a translated version of said audio feed. Flanagan teaches receiving a translated version of said audio feed. (Flanagan discloses the present invention relates generally to a system for automated translation of speech in a real-time conferencing or chat environment. Particularly, the present invention integrates speed recognition, machine translation, and speech generation technology into a system for accepting messages from and broadcasting messages to subscribers of an online information system such that a message spoken by a subscriber in a first language may be heard by subscribers in a second language; column 1 line 13-21)

Ludwig and Flanagan are analogous art because they are from the same field of endeavor of computer conferencing. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify a

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conferencing system as taught by Ludwig to include a translation audio feed as taught by Flanagan. One of ordinary skill in the art would have been motivated to make this modification in order to have a conferencing system to include the translation of Flanagan because it provides the advantage of multi language participants to partake in the conference without a live translator (another person) present or a transcript which has to be sent to be translated. This modification will allow for decision making in the fast moving commodities trading markets where many thousands of dollars of profit (or loss) may depend on an expert trader making the right decision within hours, or even minutes, or receiving a request from a foreign client; Ludwig: Column 1 line 53-57.)

Therefore, it would be obvious to combine Ludwig (5758079) with Flanagan (6339754) for the benefit of creating an audio/video conferencing system to obtain the invention as specified in claim 23.

See Office Action at pages 9-10.

As may be referenced from the above Office Action passage, the Office Action has improperly disclosed what is stated in Ludwig, at Column 1, lines 53-57. The Examiner has selected portions of a sentence and has modified what is disclosed in Column 1, lines 50-57 of Ludwig. For example, Ludwig does not disclose the term “foreign” as the Examiner has stated in “....receiving a request from a *foreign* client.” Instead, this should read “....receiving a request from a *distant* client.” Therefore, the Office Action has improperly altered or changed what is disclosed in Ludwig. Because of this alteration, the Office Action does not provide a

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proper motivation to combine the prior art references. For this reason alone, the Applicant respectfully believes that the Office Action has not established a *prima facie* case of obviousness. Therefore, Claim 23 and dependent Claim 24 are in condition for allowance.

Furthermore, the Applicant respectfully disagrees with the Office Action's rationale regarding the motivation to combine Ludwig with Flanagan. The Office Action has improperly disclosed what is stated in Ludwig, at Col. 1, lines 50-57, by way of deleting lines 50-52 of Ludwig's sentence. Ludwig states that "face-to-face collaboration in a distributed collaboration environment" would be beneficial in the "fast-moving commodities trading markets." Nowhere in Ludwig, is there any disclosure or indication of using the translation taught by Flanagan in such "fast-moving commodities trading markets" of Ludwig. Furthermore, it is improbable that the commodities trading market in a particular country (e.g., the United States) would do business in more than one language (i.e., other than English). Therefore, for each of these reasons individually, the Examiner has not shown the desirability of the combination of Ludwig and Flanagan. Consequently, a *prima facie* case of obviousness has not been established. Therefore, the Applicant requests allowance of the patentable subject matter recited in Claim 23 and dependent Claim 24.

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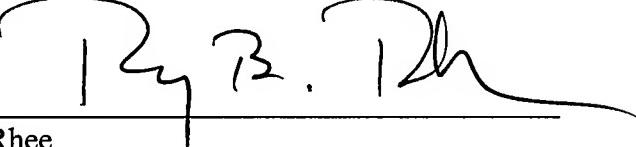
CONCLUSION

Based on at least the foregoing, the Applicant believes that Claims 1-26 are in condition for allowance. A Notice of Allowance is courteously solicited. Should anything remain in order to place the present Application in condition for allowance, or should the Examiner disagree or have any question regarding this submission, the Examiner is kindly invited to contact the undersigned at (312) 775-8246.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Dated: August 31, 2007

Respectfully submitted,



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